

\$850,000 Award Expected in Suit by Ex-Deputy

■ **Courts:** The county admits a 'series of mistakes' led to a pursuit that injured Michael F. Brooks. Board of Supervisors likely will OK settlement. 8/16/95

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A civil rights lawsuit stemming from a bizarre incident in which a former Los Angeles County Sheriff's Department deputy was surrounded in his home by a SWAT team, chased on his motorcycle by cars and a helicopter, knocked to the ground by a patrol vehicle, and then bitten by a police dog is expected to be finally settled Tuesday for \$850,000.

Attorneys for the county acknowledge that a "series of mistakes" was made in the 1990 incident involving then-Deputy Michael F. Brooks, but insist that it was all done with "the best of intentions."

Both sides in the federal court dispute have agreed to a settlement that was approved by the county Claims Board last month and is expected to be approved by the county Board of Supervisors. But there is no accord on what led up to the strange and tragic events of May 13, 1990.

County attorneys say that Brooks, 46, a veteran of more than 15 years with the Sheriff's Department and a member of a special surveillance team, had made threats against a supervising lieutenant while undergoing treatment by a psychologist.

The lieutenant reminded Brooks of experiences he went through as a medic in Vietnam, said attorney Tom Shapiro, who represented the county in the case. The deputy allegedly made death threats against the lieutenant that were revealed to authorities by the Sheriff's Department psychologist.

But attorneys for Brooks have a different version.

They say he had been under pressure within the department to drop an investigation into alleged thefts of helicopter parts and guns by a civilian sheriff's employee. Brooks blurted a threat against the lieutenant during the dispute and was suspended from active duty, said Ed Fox, the former deputy's chief lawyer.

Brooks later assured the psychologist that he did not intend to harm his supervisor, Fox said.

Whatever the reason, the Sheriff's Department decided to place Brooks under observation and sent a swarm of deputies to surround his house in Walnut where he was at home with his wife.

One of Brooks attorneys estimated that 20 to 30 officers surrounded Brooks' home.

The settlement memo drawn up by county attorneys described what happened next:

"The series of mistakes commenced at the Brooks' residence where sheriff's personnel, although with the intent to protect everyone, entered the Brooks' residence

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without a warrant, detained and held Mrs. [Vickie] Brooks against her will . . . and permitted Mr. Brooks to leave the residence without adequate communication to the backup deputies of their consent for Mr. Brooks to leave."

Brooks had agreed to meet with sheriff's representatives at a location away from his home in an attempt to resolve the dispute, but officers staked out nearby were not informed.

When Brooks left his home on his motorcycle, he was pursued by deputies in marked and unmarked cars as a helicopter trailed him overhead.

After a wild chase, the cycle was rammed by a sheriff's car, throwing Brooks to the ground and breaking his leg.

Then, as Brooks lay on the ground, a dog from a sheriff's canine patrol unit

"The dog got out of the car," said attorney Shapiro. "The door was open and the dog got out."

"He suffered a compound broken leg," says the settlement memo. "He also suffered multiple lacerations and puncture wounds on his right arm and torso from the dog bites."

"Mr. Brooks has undergone six surgical procedures on his left leg and has been advised by his doctors that he will need two future surgeries, including a knee replacement," continues the memo. "Mr. Brooks' physical injuries have prevented him from any further law enforcement career."

Vickie Brooks complained that she was taken into custody at gunpoint and suffered psychological trauma, but county attorneys deny that guns were used to detain her.

The Brookses are to receive \$550,000 in the settlement of the case that has

been litigated for the past five years. His attorneys are to get the remaining \$300,000.

Brooks, who later left the department, also will be reimbursed for his past and future medical bills connected to the injuries and receive a letter of apology, according to his attorneys.

County lawyers estimated that a trial of the case could have resulted in more than \$4 million in damages.

"A jury," says the settlement memo, "will have substantial evidence to conclude the series of mistakes and or intentional acts were of such a serious consequence as to unnecessarily permanently harm and injure Mr. Brooks, violate the constitutional rights of Mr. and Mrs. Brooks, and conclude his law enforcement career."

"It was one of those situations that involved the best of intentions," insisted Shapiro. "It was just unfortunate circumstances, what happened to Mr. Brooks . . . a series of unfortunate circumstances that happened one after another."